

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:08CV22-MU-03**

TEDDY L. BOLES,)
 Petitioner,)
)
 v.)
)
GARY JONES, Admin., Johnson Corr.)
Inst.,)
 Respondent.)
_____)

ORDER

THIS MATTER comes before the Court on Petitioner's Habeas Petition filed pursuant to 28 U.S.C. §2254 on March 12, 2008 (Doc. No. 1); and on the Government's Motion to Dismiss filed April 9, 2008 (Doc. No. 3).

After careful review of the Respondent's Motion to Dismiss, this Court finds that the Respondent may be entitled to a summary dismissal of the instant Petition as a matter of law.

PETITIONER BOLES READ THIS:

You now have the opportunity to reply to the Respondent's Motion. You may not allege new facts surrounding the events in question as part of your reply. You should base your reply and argument(s) solely on the matters set forth in your original Habeas Petition and/or those set forth in the Respondent's Motion to Dismiss.

You are further advised that you have thirty (30) days from the filing of this Order in which to file your reply in opposition to the Respondent's Motion to Dismiss. **FAILURE TO RESPOND WITHIN THIS TIME PERIOD MAY SUBJECT THIS ACTION TO**

DISMISSAL.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the Petitioner has thirty (30) days from the filing of this Order in which to provide a response to the Respondent's Motion to Dismiss; and
2. That the Clerk shall send copies of this Order to the Petitioner and to counsel for the Respondent.

SO ORDERED.

Signed: April 14, 2008

A handwritten signature in black ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

